

**CALENDAR ITEM
C35**

A 56

12/17/14
PRC 7474.9
PRC 8127.9
R. Collins

S 40

**TERMINATION OF LEASES AND ISSUANCE OF A
GENERAL LEASE – PUBLIC AGENCY USE**

APPLICANT:

U.S. Department of the Interior
Bureau of Reclamation
Yuma Area Office
7301 Calle Aqua Salada
Yuma, AZ 85364

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Colorado River, city of Blythe, Riverside County.

AUTHORIZED USE:

Continued use and maintenance of two rock and gravel stockpile sites.

LEASE TERM:

20 years, beginning December 17, 2014.

CONSIDERATION:

Public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The Applicant has stabilized various sections of the Lower Colorado River as part of the major river rectification projects authorized under the Colorado River Front Work and Levee System Act of 1927. In its continuing effort to maintain the existing bankline stabilization of the Colorado River, the Applicant has established various rock and gravel stockpile sites at strategic locations along the Colorado River for the maintenance and repair of the existing levee system.

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3. In 1989, the Commission received fee title to a parcel of land located on the Colorado River at River Mile C-124.7. The parcel was acquired pursuant to a title settlement agreement (CSLC File #AD 33) between the Commission and the upland property owners. Within this parcel, the Applicant uses and maintains a rock and gravel stockpile area, described in Exhibit A and shown on Exhibit B (for references purposes only) as "Lease Area No. 1."

On September 3, 1999, the Commission authorized Lease No. PRC 7474.9, a General Lease – Public Agency Use to the U.S. Department of the Interior, Bureau of Reclamation, for a 10-year term beginning November 30, 2000, for the use of "Lease Area No. 1" as a rock and gravel stockpile site. Lease No. PRC 7474.9 expired on November 29, 2010.

4. In 1996, the Commission received fee title to a parcel of land located on the Colorado River at River Mile C-119.1. The parcel was acquired pursuant to a title settlement agreement (CSLC File #AD 216) between the Commission and the upland property owners. On this parcel, the Applicant uses and maintains a rock and gravel stockpile area, described in Exhibit A and as shown on Exhibit B (for references purposes only) as "Lease Area No. 2."

On December 3, 1999, the Commission authorized Lease No. PRC 8127.9, a General Lease – Public Agency Use to the U.S. Department of the Interior, Bureau of Reclamation, for a 10-year term beginning December 1, 1999, for the use of "Lease Area No. 2" as a rock and gravel stockpile site. Lease No. PRC 8127.9 expired on November 30, 2009.

5. The Applicant is now applying for a new General Lease – Public Agency Use, for continued use and maintenance of both stockpile sites, and has also requested that both sites be consolidated under one lease. Because both leases are effectively in holdover, staff recommends that both leases be terminated effective December 16, 2014, and that both stockpile sites, identified as "Lease Area No.1" and "Lease Area No. 2," be consolidated through the issuance of a new Lease No. PRC 7474.9, with a beginning date of December 17, 2014.

6. **Lease Terminations:** The staff recommends that the Commission find that the subject lease terminations do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and are, therefore, not projects in accordance with the California Environmental Quality Act (CEQA).

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Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

7. **New Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Lease Terminations: Find that the subject lease terminations are not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activities are not projects as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

New Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C35** (CONT'D)

AUTHORIZATION:

1. Authorize termination of Lease No. PRC 8127.9, a General Lease – Public Agency Use to the U.S. Department of the Interior, Bureau of Reclamation, effective December 16, 2014.
2. Authorize termination of Lease No. PRC 7474.9, a General Lease – Public Agency Use to the U.S. Department of the Interior, Bureau of Reclamation, effective December 16, 2014.
3. Authorize issuance of Lease No. PRC 7474.9, a General Lease – Public Agency Use to U.S. Department of the Interior, Bureau of Reclamation, beginning December 17, 2014, for a term of 20 years, for two rock and gravel stockpile sites as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration is the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A

PRC 7474.9

LAND DESCRIPTION

Two parcels of State owned sovereign land lying adjacent to the current bed of the Colorado River, Riverside County, State of California, described as follows:

PARCEL 1

A parcel of State owned sovereign land lying within Parcel 2 as described in Exhibit A of A.D. 33, said A.D. 33 is on file at the Sacramento Office of the California State Lands Commission, described as follows:

BEGINNING at a point lying distant S 2°15'11" W 27,491.87 feet from NGS monument HPGN CA 11 15 (PID DW9079), thence from said point of beginning the following four (4) courses:

- 1) S 53°10'25" W 633.28 feet;
- 2) S 19°28'43" E 138.19 feet;
- 3) N 76°20'27" E 474.24 feet;
- 4) North 397.87 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying outside the boundaries of Parcel 2 as described in said A.D. 33.

The BASIS OF BEARINGS of this description is the California Coordinate System of 1983, Zone 6. All distances are grid distances.

PARCEL 2

A parcel of State owned Sovereign Land in portions of Section 11 and 14, T7S, R23E, S.B.M., Riverside County, California, described as follows:

BEGINNING at a point of intersection of the Right Descending Bank of the Present Colorado River Channel and an easterly extension of the section line between Sections 11 and 14, T7S, R23E, S.B.M.; thence southeasterly 250 feet along said Right Descending Bank; thence southwesterly 300 feet along a line being perpendicular to the said Right Descending Bank; thence northwesterly 500 feet along a line being parallel to the said Right Descending Bank; thence northeasterly 300 feet along a line being perpendicular to the said Right Descending Bank; thence southeasterly 250 feet along the said Right Descending Bank to the point of beginning and the end of the herein described parcel.

The above described Parcel 2 description is based on that original description as found in Lease Document W 25540.

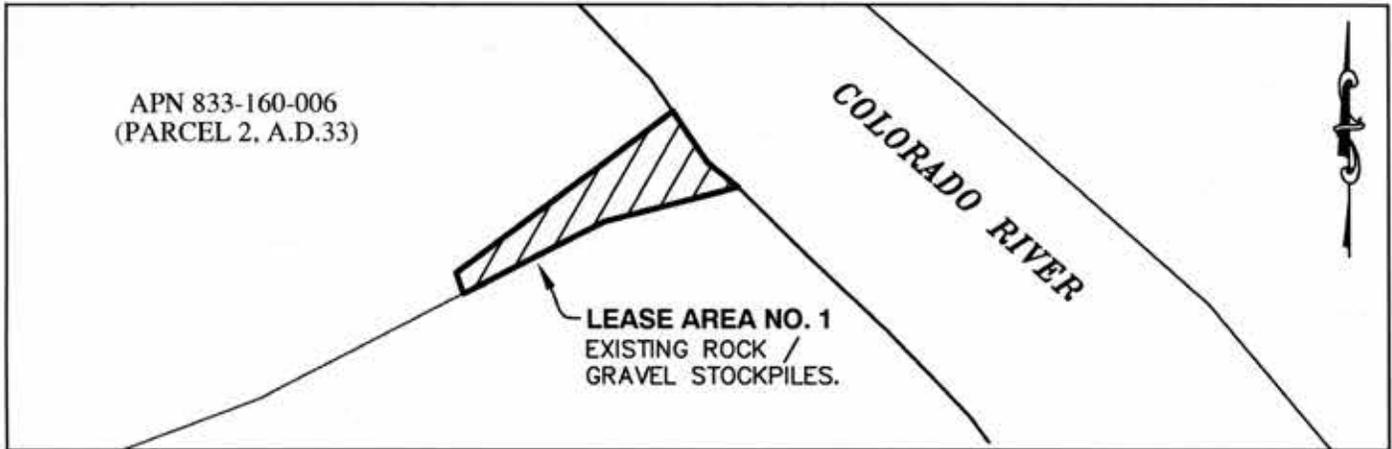
END OF DESCRIPTION

Prepared 11/25/2014 by the California State Lands Commission Boundary Unit.

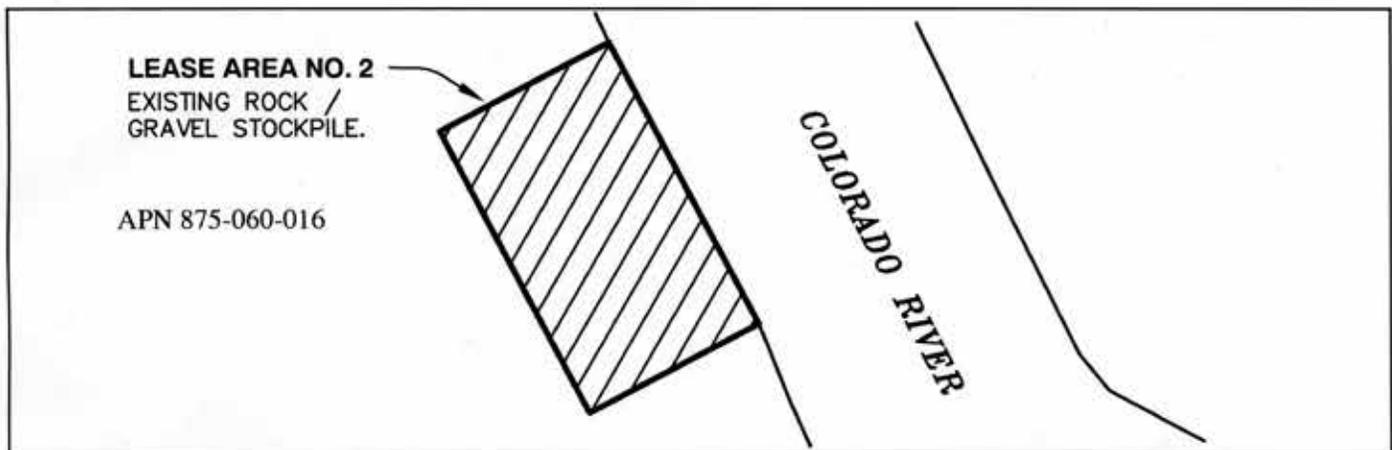


NO SCALE

SITE



LEASE AREA NO. 1, COLORADO RIVER



LEASE AREA NO. 2, COLORADO RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7474.9
U.S. BUREAU OF
RECLAMATION
GENERAL LEASE -
PUBLIC AGENCY USE
RIVERSIDE COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.